

Amendments To The Drawings

An attached drawing sheet includes Figure 2, and replaces the original drawing sheet that included Figure 2.

Amended Figure 2 differs from original Figure 2 only in that reference numerals 260a, 260b, 260c and 260d have each been removed, along with their respective lead lines. This cures an objection raised by the Examiner to the drawings, as discussed in more detail in the remarks that follow.

Attachment: Replacement Drawing Sheet 2

REMARKS

The title has been amended, the drawings have been amended, Claims 28-38 have been canceled, and Claims 17 and 27 have been amended. Claims 17-27 are present in the application. In view of the foregoing amendments, and the remarks that follow, Applicants respectfully request reconsideration.

Non-Elected Claims

Claims 28-38 were withdrawn from consideration as directed to a non-elected invention. Claims 28-38 have been canceled, but Applicants reserve the right to file a divisional application that presents the subject matter of Claims 28-38 for consideration on the merits.

Title of the Invention

The Office Action objected to the title of the invention, indicating that it was not properly descriptive of the invention to which the pending claims are directed. Accordingly, the foregoing amendments modify the title so that it is consistent with the subject matter of the pending claims.

Drawing Amendment

The Office Action objected to the drawings under 37 C.F.R. §1.84(p)(5), because Figure 2 included these four reference numerals that are not mentioned in the specification (reference numerals 260a, 260b, 260c and 260d). The foregoing drawing amendment therefore removes from Figure 2 these four reference numerals, and their lead lines. It is respectfully submitted that Figure 2 is now in proper form, and notice to that effect is respectfully requested.

Objection to Drawings, Specification and Claim

The Office Action objected to the drawings, on the ground that they fail to show the "plurality of doped layers" recited in Claim 17 as originally filed. The Office Action raised corresponding objections to the specification and Claim 17. The Office Action suggested that the indicated phrase in Claim 17 should be amended to refer to the "plurality of doped regions".

The foregoing amendments implement the Examiner's proposed change to Claim 17. It is respectfully submitted that this change in Claim 17 cures the objection to Claim 17, and also cures the corresponding objections to the drawings and the specification. Notice to that effect is respectfully requested.

Independent Claim 17 is Not Anticipated by Lin

Independent Claim 17 stands rejected under 35 U.S.C. §102 as anticipated by Lin U.S. Patent Application Publication No. 2005/0224786. This ground of rejection is respectfully traversed, for the following reasons. The PTO specifies in MPEP §2131 that, in order for a reference to anticipate a claim under §102, the reference must teach each and every element recited in the claim. Claim 17 of the present application expressly recites "... a sill located within the electrode ...". Contrary to the assertions in the Office Action, the sill disclosed in Lin is not within an electrode. Lin thus does not disclose each and every element recited in Claim 17, and therefore does not anticipate Claim 17 under §102. Accordingly, Claim 17 is believed to be allowable over Lin, and notice to that effect is respectfully requested.

Independent Claim 17 is Not Anticipated by Montgomery

Independent Claim 17 stands rejected under 35 U.S.C. §102 as anticipated by Montgomery U.S. Patent Application Publication No. 2004/0208454. This ground of rejection is respectfully traversed, for the following reasons. As noted above, the PTO specifies in MPEP §2131 that, in order for a reference to anticipate a claim under §102, the reference must teach each and every element recited in the claim. Claim 17 of the present application expressly recites:

... a substrate having a plurality of doped regions
therein;
a patterned feature located over the substrate and over the
plurality of doped regions, the patterned feature being part of a

transistor and comprising at least one electrode, the electrode being situated proximate the plurality of doped regions; . . .

In contrast, the doped regions in Montgomery are not within the substrate 32. Further, the device formed by Montgomery is an electro-optic modulator, and not a "transistor" as recited in Claim 17. Montgomery thus does not disclose each and every element recited in Claim 17, and therefore does not anticipate Claim 17 under §102. Accordingly, Claim 17 is believed to be allowable over Montgomery, and notice to that effect is respectfully requested.

Dependent Claims

Claims 18-27 each depend from Claim 17, and are also believed to be distinct from the art of record, for example for the same reasons discussed above with respect to Claim 17.

Conclusion

Based on the foregoing, it is respectfully submitted that all of the pending claims are fully allowable, and favorable reconsideration of this application is therefore respectfully requested. If the Examiner believes that examination of the present application may be advanced in any way by a telephone conference, the Examiner is invited to telephone the undersigned attorney at 972-739-8647.

Appl. No. 10/824,854
Reply to Office Action of November 4, 2005

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Customer No. 42717

Although Applicants believe that no fee is due in association with the filing of this Amendment, the Commissioner is hereby authorized to charge any fee required by this paper, or to credit any overpayment, to Deposit Account No. 08-1394 of Haynes and Boone LLP.

Respectfully submitted,



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Enclosures: Replacement Drawing Sheet 2
Petition for Time Extension
Check (\$450.00)
Acknowledgment Post Card

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